

MUTUAL RECOGNITION AGREEMENT Among Regulators of Naturopathic Medicine Amended as of June 3, 2009

Naturopathic medicine is currently regulated in British Columbia, Saskatchewan, Manitoba and Ontario under the following legislation respectively:

- *Health Professions Act* (Revised Statutes of British Columbia, 1996, c.183);
- *The Naturopathy Act* (Revised Statutes of Saskatchewan, 1978);
- *Naturopathic Act* (Manitoba C.C.S.M., c. N80); and
- *The Drugless Practitioners Act* (Revised Statutes of Ontario, 1990).

Regulation is pending in Alberta under the *Health Professions Act*, 1999 (Revised Statutes of Alberta 2000 Chapter H-7 Section 14 with amendments in force as of December 4, 2003). On May 27, 2008 *An Act Respecting Naturopathic Doctors* received Royal Assent in Nova Scotia. While this legislation does not provide regulation for NDs in the province, it does provide title protection. It is acknowledged that naturopathic medicine is not a regulated occupation in all jurisdictions; however, in the spirit of interprovincial and territorial mobility, the naturopathic regulatory bodies recognize the participation and contribution of the professional associations listed in Appendix "A".

All signatories acknowledge the positive cooperation and support of the Canadian Association of Naturopathic Doctors/Association canadienne des docteurs en naturopathie (CAND/ACDN) and value the significant contribution made by the CAND/ACDN in the collaborative development of *Standards of Practice* (1997), revised 2000, and *A Guide to the Ethical Conduct of Naturopathic Physicians* (1994), which some signatories have chosen to adopt for implementation in their province/territory.

Some of the key terms used in this agreement are defined in Appendix "C".

LABOUR MOBILITY PRINCIPLES

The intention of this agreement is to reduce barriers to mobility for qualified Doctors of Naturopathic Medicine amongst regulated jurisdictions in compliance with Chapter Seven (7) of the *Agreement on Internal Trade (AIT)*. We, the undersigned, are committed to:

- Facilitating full labour mobility for qualified naturopathic doctors;
- Excellence in the practice of naturopathic medicine; and
- Open and respectful dialogue between signatories to achieve compliance with Chapter Seven (7) of the AIT, December 4, 2008.

We, the regulator signatories:

1. Agree that there is a high level of commonality in the practice of naturopathic medicine performed by qualified Doctors of Naturopathic Medicine;
2. Recognize the same standards for naturopathic medical education;
3. Use a common, standard examination process (NPLEX¹) as part of our registration process in addition to jurisprudence, oral and practical examinations and other requirements set out by the individual jurisdictions and identified in Section 12;
4. Have complaints and disciplinary procedures in place;
5. Agree that Doctors of Naturopathic Medicine are subject to the legal requirements and limitations of the jurisdiction in which they are members;
6. Confirm there are no requirements for residency in a province or territory as a condition of registration as per Article 705 of the Labour Mobility Chapter; and
7. Agree that our practice will reflect the requirements in Article 706 and Article 707 of the Labour Mobility Chapter.

¹ Naturopathic Physicians Licensing Exam administered by the North American Board of Naturopathic Examiners (NABNE).

REQUIREMENTS FOR MOBILITY PURPOSES

8. An applicant who is an active member of a regulator signatory where that regulator signatory certifies that the applicant has met the following requirements:
 - a) the applicant has graduated from an institution or program of naturopathic medical education approved by the Council on Naturopathic Medical Education (CNME) (see Appendix “B” for list of currently approved schools); and
 - b) the applicant has successfully completed:
 - the NPLEX Part I Basic Science Exam Series or NPLEX Part I Biomedical Science Examination, and
 - the NPLEX Part II Core Clinical Science Examination or NPLEX Part II Clinical Science Examinations and add-on homeopathy;shall, subject to the requirements of Section 10 and Section 12, be deemed by the other regulator signatories to meet the education and competency examination requirements for registration of such other regulator signatories.
9. Currently, internationally trained applicants who do not meet the requirements as set forth in Section 8 will be directed to seek advanced standing and graduation from a Council on Naturopathic Medical Education approved school which will permit them to write NPLEX. The signatories agree that such applicants who have graduated from a school identified in Appendix “B”, who have successfully completed NPLEX Part I Basic Science Exam Series or NPLEX Part I Biomedical Science Examination and the NPLEX Part II Core Clinical Science Examination or NPLEX Part II Clinical Science Examinations and add-on homeopathy and are registered in a regulated jurisdiction will be eligible to benefit from the terms of this mutual recognition agreement.
10. An applicant for registration under the terms of the agreement who is an active member of a regulator signatory must meet the following requirements in addition to those set out in Section 8:

- a) be an active member in good standing as defined in Appendix “C” with all other regulator signatories or association signatories of which he or she is a member;
- b) demonstrate good character;
- c) demonstrate currency as defined in Appendix “C” in the jurisdiction in which they are members; and
- d) meet jurisdiction specific requirements for jurisprudence, language proficiency (if not previously assessed), criminal records check, immigration status in Canada and other legal requirements of such jurisdictions in the jurisdictions where he or she is an active member and where he or she is an applicant.

11. It is recognized that each regulator signatory may have members who qualified, perhaps under a different regulatory regime, and may not meet the requirements of Section 8 above. It is recognized that these individuals are, through ongoing regulatory measures, qualified naturopathic doctors. Therefore, notwithstanding Section 8, applicants who were registered with another regulator signatory on December 31, 1999 and who are registered with a regulator signatory on the date of their application are eligible for membership in the jurisdictions of all regulator signatories, provided they meet all other criteria under Section 10.

12. Despite any provision above, a regulator signatory may impose additional requirements related to jurisdictional variance in regulated scope of practice.

CONTINUING EDUCATION

13. We acknowledge that British Columbia and Ontario have mandatory continuing education and that all signatories shall pursue quality assurance and commit to the introduction of such continuing education requirements.

CURRENCY FOR EXISTING MEMBERS

14. All signatories agree to pursue currency requirements for active members as defined in Appendix “C”.

ADMINISTRATION

15. It is recognized that this agreement is dynamic and evolving and may be modified to include additional regulator signatories and supporting associations committed to the same standards.
16. In recognition of jurisdictional variations in the regulated scope of practice of naturopathic medicine by qualified naturopathic doctors, regulator signatories commit to seek legislative, regulatory and bylaw changes to permit the inclusion of restricted or provisional registration for applicants applying for transfer under the terms of the MRA while they obtain additional necessary qualifications required for full registration.
17. All regulator signatories agree to seek statutory amendments or changes to bylaws that may be required to implement this agreement.
18. All regulator signatories agree to provide, direct to the receiving regulator signatory, appropriate information and documentation as may be required upon the applicant providing a release of records.
19. All signatories commit to maintaining ongoing dialogue to ensure effective implementation and cooperative resolution as issues arise.
20. All signatories agree to provide three months notice to each other when considering withdrawal from this agreement.

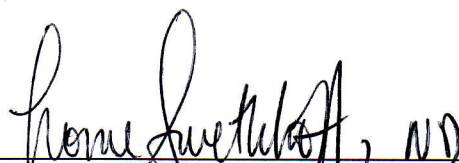
21. All signatories agree to review this document every three years or when requested by a signatory.
22. The implementation date of the amended agreement will be July 1, 2009 or as soon as legislative, regulatory and bylaw amendments permit.
23. It is recognized that there is legislation in Ontario that will replace the Board of Directors of Drugless Therapy-Naturopathy with the College of Naturopaths. The signatories agree that the College of Naturopaths will, by ratifying this agreement, replace the Board of Directors of Drugless Therapy-Naturopathy as a regulator signatory. However, the rights and duties of this agreement will only apply to the Naturopathic Doctor members of the new college.
24. It is recognized that the Alberta Association of Naturopathic Practitioners will transition to the College of Naturopathic Doctors of Alberta under the Health Professions Act when the regulations are completed. The signatories agree that the College of Naturopathic Doctors of Alberta will, by ratifying this agreement, become a regulator signatory.
25. The regulator signatories agree to promptly consider, and where appropriate, approve a request by a new regulatory body legislatively authorized by a P/T that was previously unregulated to become an additional regulator signatory.

REGULATOR SIGNATORIES

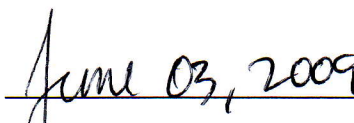
Mutual Recognition Agreement Among Regulators of Naturopathic Medicine

Signed with a view to being Implemented July 1, 2009


The following are those regulator signatories to the Agreement that exercise authority delegated by law to protect the public through the regulation of the practice of naturopathic medicine.



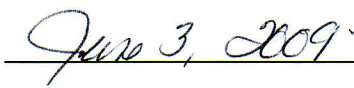
Per: Lorne Swetlikoff, ND
College of Naturopathic Physicians of British Columbia



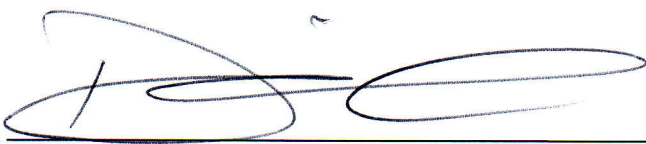
Date




Per: Angela M. Moore, ND
Board of Directors of Drugless Therapy-Naturopathy, Ontario




Date



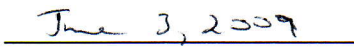
Per: Deirdre Jasper, ND
Manitoba Naturopathic Association



Date



Per: Leshia Ferguson, ND
Saskatchewan Association of Naturopathic Practitioners




Date

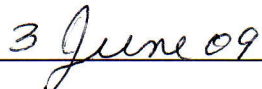
Appendix "A"

It is recognized that while the following association signatories have not been delegated authority by law to regulate the profession of naturopathic medicine, they are mandated by their membership to set requirements/standards for membership and are committed to excellence in the practice of naturopathic medicine. The following association signatories:

- Participated in the process to develop this MRA;
- Will endeavour to support the implementation of this MRA;
- Will endeavour to adhere to the provisions of this MRA; and
- Are committed to the principle and facilitation of interprovincial and territorial labour mobility.




Per: Patricia Wales, ND
Alberta Association of Naturopathic Practitioners



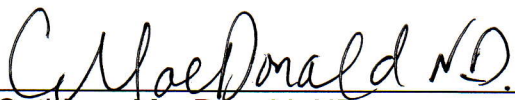
Date




Per: Kathleen Mercer, ND
Newfoundland and Labrador Association of Naturopathic Doctors




Date




Per: Cathleen MacDonald, ND
New Brunswick Association of Naturopathic Doctors



Date



Per: Colin Huska, ND
Nova Scotia Association of Naturopathic Doctors



Date



Per: X
Prince Edward Island Association of Naturopathic Doctors

June 17/09

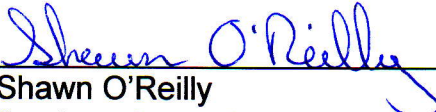
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Per: Stephanie Ogura, ND
Association de médecine naturopathique du Québec

JUNE 3, 2009

Date



Per: Shawn O'Reilly
Canadian Association of Naturopathic Doctors

June 3 2009

Date

Appendix “B”

1. Canadian College of Naturopathic Medicine (Toronto, Ontario)
2. Boucher Institute of Naturopathic Medicine (Vancouver, British Columbia)
3. National College of Natural Medicine (Portland, Oregon)
4. Southwest College of Naturopathic Medicine - Health Sciences (Scottsdale, Arizona)
5. Bastyr University (Seattle, Washington)
6. University of Bridgeport, College of Naturopathic Medicine (Bridgeport, Connecticut)
7. National University of Health Sciences (Lombard, Illinois), CNME Candidate as of March 2008

For current information contact the Canadian Association of Naturopathic Doctors.

Appendix “C”

The following definitions are for purposes of this Mutual Recognition Agreement.

Active Member	An individual who holds a current registration in a regulated jurisdiction allowing the individual to practice in that jurisdiction. ‘Active member’ and ‘active registrant’ should be considered as synonymous.
Association Signatory	A provincial or territorial association of naturopathic doctors that is recognized by the Canadian Association of Naturopathic Doctors in a jurisdiction where there is no enabling legislation to regulate naturopathic doctors.
Currency	The status of a naturopathic doctor being such that a minimum of 1,200 hours of patient care has been provided during the preceding three years or have graduated from an institution or program of naturopathic medical education approved by the Council on Naturopathic Medical Education during the preceding two years.
Good Standing	In respect of an active member, the status of a registrant/member being such that there are no outstanding obligations including those related to unpaid fees, currency, continuing education, quality assurance or requirements for information; no pending regulatory, criminal or civil complaints, inquiries or proceedings; no adverse findings, terms,

limits or conditions on the practice or certificate of registration with respect to that member and there is evidence of up-to-date liability coverage.

Inactive Member

An individual who holds a current registration in a regulated jurisdiction but is not entitled to practice in that jurisdiction. 'Inactive member', 'inactive registrant' and 'non-practicing registrant' should be considered as synonymous.

Regulator Signatory

A regulating body in a jurisdiction where there is enabling legislation to regulate naturopathic doctors.

Appendix “D”

Chapter Seven on the Agreement on Internal Trade

Article 705: Residency Requirements

1. Subject to Article 708, no Party shall require a worker of a Party to be resident in its territory as a condition of:

- (a) eligibility for employment; or
- (b) certification relating to the worker’s occupation.

2. With respect to the Federal Government, paragraph 1 (a) means that, subject to Article 708, it shall not require a worker of a Party to be a resident of a particular province or territory as a condition of eligibility to apply, in an external appointment or hiring process, for appointment or hiring to a position or job in

- (a) federal public service departments, departmental corporations, Crown corporations, separate agencies and other portions of the public administration which are listed in Schedules I to VI of the *Financial Administration Act*, Revised Statutes of Canada, chapter F-10, as amended from time to time, and
- (b) other Crown corporations, as defined in *the Financial Administration Act*, Revised Statutes of Canada, chapter F-10, as amended from time to time, which are not covered under paragraph (a).

Article 706: Certification of Workers

1. Subject to paragraphs 2, 3, 4 and 6 and Article 708, any worker certified for an occupation by a regulatory authority of a Party shall, upon application, be certified for that occupation by each other Party which regulates that occupation without any requirement for any material additional training, experience, examinations or assessments as part of that certification procedure.

2. Subject to paragraphs 3, 4 and Article 708, each Party shall recognize any worker holding a jurisdictional certification bearing the Red Seal endorsement under the Interprovincial Standards Red Seal Program as qualified to practice the occupation identified in the certification.

3. It is understood that a regulatory authority of a Party may, as a condition of certification for any worker referred to in paragraph 1 or 2, impose requirements on that worker (other than requirements for material additional training, experience, examinations or assessments), including requirements to:

- (a) pay an application or processing fee;
- (b) obtain insurance, malpractice coverage or similar protection;
- (c) post a bond;
- (d) undergo a criminal background check;
- (e) provide evidence of good character;
- (f) demonstrate knowledge of the measures maintained by that Party applicable to the practice of the occupation in its territory;
- (g) provide a certificate, letter or other evidence from the regulatory authority in each territory in which they are currently certified confirming that their certification in that territory is in good standing;

provided that:

- (h) subject to paragraph (5)(c), any requirements referred to in paragraphs (a) to (f) are the same as, or substantially similar to but no more onerous than, those imposed by the regulatory authority on its own workers as part of the normal certification process; and
- (i) the requirement does not create a disguised restriction on labour mobility.

4. Nothing in paragraphs 1 or 2 limits the ability of a regulatory authority of a Party to:

- (a) refuse to certify a worker or impose terms, conditions or restrictions on his or her ability to practice where such action is considered necessary to protect the public interest as a result of complaints or disciplinary or criminal proceedings in any other jurisdiction relating to the competency, conduct or character of that worker;
- (b) impose additional training, experience, examinations or assessments as a condition of certification where the person has not practiced the occupation within a specified period of time;
- (c) require the worker to demonstrate proficiency in either English or French as a condition of certification in cases where there was no equivalent language proficiency requirement imposed upon, and satisfied by, the worker as a condition of the worker's certification in his or her current certifying jurisdiction;
- (d) assess the equivalency of a practice limitation, restriction or condition imposed on a worker in his or her current certifying jurisdiction to any practice limitation, restriction or condition that may be applied by the regulatory authority to a worker in its territory, and apply an equivalent practice limitation, restriction or condition to the worker's certification, or, where the regulatory authority has no provision for applying an equivalent limited, restricted or conditional certification, refuse to certify the worker;

provided that:

- (e) any such measure is the same as, or substantially similar to but no more onerous than, that imposed by the regulatory authority on its own workers; and
- (f) the measure does not create a disguised restriction on labour mobility.

5. Subject to Article 708, each Party shall ensure that any measure that it adopts or maintains relating to certification of workers of any other Party:

- (a) is published on the website of the relevant regulatory authority or through a readily accessible website of the Party;
- (b) results in expeditious certification; and
- (c) except for actual cost differentials, does not impose fees or other costs that are more burdensome than those imposed on its own workers.

6. Where a worker has been certified for an occupation by a regulatory authority of a Party, nothing in this Article prevents a regulatory authority of another Party from permitting the worker to practice that occupation in its territory without further certification.

Annex 707: Occupational Standards

1. Each Party may adopt or maintain any occupational standard, and in doing so, may establish the level of protection that it considers to be appropriate in the circumstances. Parties agree, to the extent possible and where practical, to take steps to reconcile differences in occupational standards.

2. Further to paragraph 1, each Party shall, to the extent possible and where practical, adopt occupational standards based on common interprovincial standards, including occupational standards developed for the Interprovincial Standards Red Seal Program, or international standards. The Parties acknowledge their continued commitment to the Interprovincial Standards Red Seal Program, including the use of National Occupational Analyses, as a well-established means of establishing common interprovincial standards for trades.

3. If occupational standards have not been established in the territory of a Party in respect of a particular occupation but exist in the territory of any other Party, and the Party without the standards wishes to develop such standards, it shall do so in a manner conducive to labour mobility. A Party intending to develop such standards shall notify the other Parties of its intent and afford them an opportunity to comment on the development of those standards.

4. If occupational standards do not exist in the territories of any of the Parties in respect of an occupation and a Party considers it necessary to establish occupational standards for that occupation, the Parties agree that the process of development of new

occupational standards shall occur in a manner conducive to labour mobility. A Party intending to develop new standards shall notify the other Parties of its intent and afford them an opportunity to comment on the development of those standards.

5. If a Party considers it necessary to make changes to any standards in respect of an occupation, the Parties agree that the process for making such changes shall occur in a manner conducive to labour mobility. A Party intending to make such changes shall notify the other Parties and afford them an opportunity to comment on the modification of those standards.